

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

PROGRESS SOFTWARE CORPORATION,  
Plaintiff,  
v.  
HOSPITALS OF ONTARIO PENSION PLAN,  
Defendant.

1:39  
6/2/05  
CIVIL ACTION  
No. 05-cv-10028-REK

**NOTICE OF DISMISSAL WITH PREJUDICE**

No answer or motion for summary judgment having been served by defendant, plaintiff hereby dismisses the above-named action with prejudice, without costs or attorneys' fees to any party, pursuant to Rule 41(a)(1)(i) of the Federal Rules of Civil Procedure.

PROGRESS SOFTWARE CORPORATION

By its attorneys,



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Dated: June 1, 2005

I HEREBY CERTIFY THAT A TRUE COPY OF THE ABOVE  
DOCUMENT WAS SERVED UPON THE ATTORNEY OF  
RECORD FOR EACH OTHER PARTY BY MAIL-HAND ON

6/1/05. Marc Temin